

Idaho Part B FFY 2010 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma.</p> <p>[Results Indicator]</p> <p>* States will either be reporting 09-10 data or 10-11 data. Data may lag one year in this indicator.</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 89.2%. These data represent progress from the FFY 2009 data of 88.8%. The State did not meet its FFY 2010 target of 90%.</p> <p>The State reported the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA). This means that the State submitted the most recent graduation data that the State reported to the Department as part of its Consolidated State Performance Report (CSPR).</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR, due February 1, 2013.</p> <p>In reporting data for this indicator in the FFY 2011 APR, States must use the same data they used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA), using the adjusted cohort graduation rate required under the ESEA.</p>
<p>2. Percent of youth with IEPs dropping out of high school.</p> <p>[Results Indicator]</p> <p>* States will either be reporting 09-10 data or 10-11 data. Data may lag one year in this indicator.</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 1.2%. These data represent progress from the FFY 2009 data of 1.4%. The State met its FFY 2010 target of 2.2%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 14.5%. These data represent progress from the FFY 2009 data of 8%. The State did not meet its FFY 2010 target of 59%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.</p>

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<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator are 98.3% for reading and 98.2% for math. The FFY 2009 data were 99.0% for reading and 99.0% for math. The State met its FFY 2010 targets of 95%.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results. The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels. Also, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based on grade level academic achievement standards, at the district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school levels with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels. Also, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based on grade level academic achievement standards, at the district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this Response Table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34</p>

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		CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2011 APR, due February 1, 2013, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 50.7% for reading and 40.4% for math. These data represent progress from the FFY 2009 data of 49.5% for reading and slippage from the FFY 2009 data of 41.7% for math. The State did not meet its FFY 2010 targets of 66.04% for reading and 61.28% for math.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results. The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on alternate assessments based on grade level academic achievement standards, at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR.</p> <p>The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on alternate assessments based on grade level academic achievement standards, at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this Response Table, the State</p>

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		<p>must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2011 APR, the State must continue to include a Web link that demonstrates compliance with 34 CFR.</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that no districts were identified as having a significant discrepancy, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.</p> <p>OSEP is unable to determine whether the State used a minimum “n” size requirement, and whether any districts did not meet the State-established minimum “n” size.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p> <p>In its FFY 2011 APR, the State must report whether it uses a minimum “n” size requirement for this indicator, and if so, a description of the “n” size, and the number of districts, if any, that did not meet the State-established minimum “n” size requirement.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 0%. However, the State did not provide valid and reliable data for this indicator. These data are not valid and reliable because they are not consistent with the measurement for this indicator. The State reported the number of districts with a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs, and reported the number of those districts having policies, procedures or practices that contribute to the significant discrepancy and do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. However, the State did not report that it reviewed policies, procedures or practices that contribute</p>	<p>The State did not provide valid and reliable data and the State must provide data based on the required measurement for FFY 2010 in the FFY 2011 APR.</p> <p>The State did not report that it conducted the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use</p>

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<p>development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</p>	<p>to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards for the districts identified with a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs. The State reported, on page 27 of the State’s final clarified APR, that it conducted a review “per 20 USC 1412(a)(22),” but the State’s specific description of the review: (1) included “functional behavior assessment” but not positive behavioral interventions and supports, as required by the measurement for this indicator; and (2) was limited to “procedural safeguard notices <u>specific [to] the discipline action.</u>” Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that nine districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. As explained above, the State did not report that it reviewed the districts’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the districts identified with significant discrepancies in FFY 2010,</p> <p>The State reported that 14 of 150 districts did not meet the State-established minimum “n” size requirement of 10 students of every race/ethnicity category.</p> <p>OSEP notes that on page 23 under Indicator 4A the State reports that there are 141 LEAs, however, on pages 25-27 under Indicator 4B, the State reports that there are 150 LEAs. The State did not account for the discrepancy.</p>	<p>of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA, as required in 34 CFR §300.170(b). The failure to conduct the review required in 34 CFR §300.170(b) is noncompliance.</p> <p>In the FFY 2011 APR, the State must report correction of this noncompliance by describing the review, and if appropriate, revision of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures, and practices comply with the IDEA, for any districts identified with significant discrepancies in FFY 2010, as required in 34 CFR §300.170(b).</p> <p>Further, in the FFY 2011 APR, the State must provide the required data for FFY 2010 (using 2009-2010 data) and FFY 2011 (using 2010-2011 data) for this indicator.</p>
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or</p>	<p>The State revised its improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011</p>

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<p>more of the day; B. Inside the regular class less than 40% of the day; or C. In separate schools, residential facilities, or homebound/hospital placements. [Results Indicator]</p>	<p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 315 1583 789"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">62.81</td> <td align="center">62.3</td> <td align="center">64</td> <td align="center">-0.51%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">9.4</td> <td align="center">10.8</td> <td align="center">7.9</td> <td align="center">-1.40%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.6</td> <td align="center">1.7</td> <td align="center">1.5</td> <td align="center">-0.10%</td> </tr> </tbody> </table> <p>These data represent slippage from the FFY 2009 data. The State did not meet its FFY 2010 targets.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	62.81	62.3	64	-0.51%	B. % Inside the regular class less than 40% of the day	9.4	10.8	7.9	-1.40%	C. % In separate schools, residential facilities, or homebound/hospital placements	1.6	1.7	1.5	-0.10%	<p>APR.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	62.81	62.3	64	-0.51%																		
B. % Inside the regular class less than 40% of the day	9.4	10.8	7.9	-1.40%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	1.6	1.7	1.5	-0.10%																		
<p>6. Percent of children aged 3 through 5 with IEPs attending a: A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and B. Separate special education class, separate school or residential facility. [Results Indicator; New]</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR.</p>	<p>The State must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits with the FFY 2011 APR.</p>																				
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved: A. Positive social-emotional skills (including social relationships);</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions. The State's reported data for this indicator are:</p>	<p>OSEP appreciates the State's efforts to improve performance and looks forward to the State's data demonstrating improvement in performance in the FFY 2011</p>																				

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<p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and C. Use of appropriate behaviors to meet their needs. [Results Indicator]</p>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<p>APR. The State must report progress data and actual target data for FFY 2011 in the FFY 2011 APR.</p>
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	92.5	92.8	93.5	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	91.4	91.9	93.2	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	91.1	91.5	91.2	
	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	
	<p>Outcome A: Positive social-emotional skills (including social relationships) (%)</p>	56.3	58.1	57	
	<p>Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	50.2	53.3	51.5	
	<p>Outcome C: Use of appropriate behaviors to meet their needs (%)</p>	65.7	68.8	67	
	<p>These data represent progress from the FFY 2009 data. The State met part of its FFY 2010 targets for this indicator.</p>				
	<p>8. Percent of parents with a child receiving special education services who report that schools facilitated</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 34%. These data represent</p>			

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<p>parent involvement as a means of improving services and results for children with disabilities.</p> <p>[Results Indicator]</p>	<p>progress from the FFY 2009 data of 33%. The State met its FFY 2010 target of 31%.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>	
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported that 25 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported it does not use a minimum “n” size requirement.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.</p> <p>The State reported that 21 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was a result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported that it does not use a minimum “n” size requirement.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator.</p>
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 95%. These data represent slippage from the FFY 2009 data of 98%. The State did not meet its FFY 2010 target of</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2011 APR the State’s data demonstrating that it is in compliance with the</p>

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<p>which the evaluation must be conducted, within that timeframe. [Compliance Indicator]</p>	<p>100%. The State reported that all 39 of its findings were corrected in a timely manner. However, OSEP’s Continuous Improvement Visit Letter dated March 9, 2012 found that State practices were inconsistent with the IDEA and OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). Specifically, the State has not been verifying correction of noncompliance by ensuring that each LEA is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected, following the issuance of a written finding, through on-site monitoring or the State’s data system. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2009 and FFY 2010 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2009 and FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise</p>

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		<p>them, if necessary to ensure compliance.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the remaining 39 uncorrected noncompliance findings identified in FFY 2009 were corrected.</p>
<p>12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 98%. These data remain unchanged from the FFY 2009 data of 98%. The State did not meet its FFY 2010 target of 100%. The State reported that all 15 of its findings of noncompliance identified in FFY 2009 were corrected in a timely manner.</p> <p>However, OSEP's Continuous Improvement Visit Letter dated March 9, 2012 found that State practices were inconsistent with the IDEA and OSEP Memo 09-02. Specifically, the State has not been verifying correction of noncompliance by ensuring that each LEA is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected, following the issuance of a written finding, through on-site monitoring or the State's data system. Therefore, the State has not demonstrated that it corrected the noncompliance.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2011 APR, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2009 and FFY 2010 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2009 and FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP,</p>

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		<p>although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the remaining 15 uncorrected noncompliance findings identified in FFY 2009 were corrected.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services</p>	<p>The State revised the baseline and improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 36%. These data remain the unchanged from the recalculated FFY 2009 data of 36%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that the 54 findings of noncompliance identified in FFY 2009 were corrected in a timely manner. However, OSEP’s March 9, 2012 Continuous Improvement Visit letter found that State practices were inconsistent with the IDEA and OSEP Memo 09-02. Specifically, the State has not been verifying correction of noncompliance by ensuring that each LEA is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected, following the issuance of a written finding, through on-site monitoring or the State’s data system.</p> <p>Additionally, in describing the State’s process for verification of correction on page 72</p>	<p>The State must demonstrate, in the FFY 2011 APR that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2009 and FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that</p>

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<p>are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>	<p>of the FFY 2010 APR, the State reported that it verifies that each LEA identified with noncompliance is “correctly implementing the specific regulatory requirements in 34 CFR §300.320.” However, the State did not report that it verifies that each LEA identified with noncompliance is correctly implementing the specific regulatory requirements in 34 CFR §300.321(b), which is also a requirement under this indicator. Therefore, for both of these reasons, the State has not demonstrated that it corrected the noncompliance.</p>	<p>it has verified that each LEA with noncompliance identified in FFY 2009 and FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the remaining 54 uncorrected noncompliance findings identified in FFY 2009 were corrected.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p>	<p>The State revised the improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State’s reported data for this indicator are:</p>	<p>The State did not provide valid and reliable data and the State must provide data based on the required measurement for FFY</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues					OSEP Analysis/Next Steps
<p>A. Enrolled in higher education within one year of leaving high school; B. Enrolled in higher education or competitively employed within one year of leaving high school. C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	<p>2010 in the FFY 2011 APR.</p> <p>The State provided a plan to collect and report the required data beginning with the FFY 2011 APR. The State must provide the required data in the FFY 2011 APR.</p>
	A. % Enrolled in higher education	17	22	18	5.00%	
	B. % Enrolled in higher education or competitively employed	31	41	31	10.00%	
	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	71	78	73	7.00%	
	<p>However, the State did not provide valid and reliable data for this indicator. These data are not valid and reliable because the State did not include dropouts in the data set as required by the measurement. Therefore, OSEP could not determine whether there was progress or slippage or whether the State met its target.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.</p>					
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 100%. The State reported that it timely corrected 1434 of 1434 findings identified in FFY 2009. However, OSEP's March 9, 2012 Continuous Improvement Visit Letter found that the following State practices were inconsistent with the IDEA and OSEP Memo 09-02: the State has not been verifying correction of noncompliance by ensuring that each LEA is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected, following the issuance of a written finding, through on-site monitoring or the State's data system. Therefore, the State has not demonstrated that it corrected the noncompliance. Accordingly, OSEP recalculated the State's FFY 2010 data for this indicator to be 1.26%. These data represent slippage from the FFY 2009 data of 100%. The State did not meet its FFY 2010 target of 100%.</p>					<p>The State must demonstrate, in the FFY 2011 APR that the remaining 1416 findings of noncompliance identified in FFY 2009 that were not reported as corrected in the FFY 2010 APR were corrected.</p> <p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2011 APR demonstrating that the State</p>

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		<p>timely corrected noncompliance identified by the State in FFY 2010 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>When reporting on correction of findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2010 and FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction. In reporting on Indicator 15 in the FFY 2011 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 4B if applicable, 11, 12, and 13 in the FFY 2011 APR the State must report on</p>

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		correction of the noncompliance described in this table under those indicators.
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State revised its improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 93%. These data represent slippage from the FFY 2009 data of 100%. The State did not meet its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's FFY 2011 IDEA section 618 data, demonstrating that it is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>The State revised its improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions.</p> <p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 100%. These data are based on eight due process hearings. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State reported that, as of January 31, 2012, both resolution sessions resulted in settlement agreements. The State met its FFY 2010 target of 85%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that</p>	<p>The State revised its improvement activities for FFY 2011 for this indicator and OSEP</p>	<p>OSEP looks forward to reviewing</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>resulted in mediation agreements. [Results Indicator]</p>	<p>accepts those revisions. The State's FFY 2010 reported data, as of January 31, 2012, for this indicator are 88%. However, the State's FFY 2010 data under IDEA section 618, as of January 31, 2012, are 93%. The State reported that the version of Table 7 submitted in the APR is accurate. The State did not meet its FFY 2010 target of 100%. Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>the State's data in the FFY 2011 APR. The State must correct the 618 data reported on Table 7 and resubmit an electronic version to OSEP's data contractor at IDEAData_PartB@westat.com by July 15, 2012. The State must notify the OSEP State Contact when this action has been completed.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. [Compliance Indicator]</p>	<p>The State revised its improvement activities for FFY 2011 for this indicator and OSEP accepts those revisions. The State's FFY 2010 reported data for this indicator are 90.96%. These data represent slippage from the FFY 2009 data of 100%.</p>	<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2011 APR, demonstrating that it is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2011 APR, the State must use the Indicator 20 Data Rubric.</p>
OSEP Verification Issues		
<p>General Supervision Critical Element GS-1: Identification of Noncompliance</p>	<p>OSEP's Continuous Improvement Visit (CIV) Letter, dated March 9, 2012, required the State to provide, within 60 days of the date of the letter, (1) a copy of ISDE's revised general supervision procedures regarding the timely identification of noncompliance when the data demonstrate noncompliance with a Part B requirement; and (2) a written assurance that ISDE will identify noncompliance and issue written findings, in a timely manner, based on the data it collects through any of its general supervision procedures. On May 7, 2012 the State submitted a response to OSEP's CIV letter. Although the</p>	<p>Within 20 days of the date of this letter, the State must provide a copy of ISDE's revised general supervision procedures regarding the timely identification of noncompliance when the data demonstrate noncompliance with a Part B requirement.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>State described the changes it will make to its Continuous Improvement Monitoring System (CIMS), the State did not provide a copy of its revised general supervision procedures regarding the timely identification of noncompliance when the data demonstrate noncompliance with a Part B requirement, as required by OSEP’s March 9, 2012 letter.</p> <p>The State provided the required written assurance that the Idaho State Department of Education (ISDE) will identify noncompliance and issue written findings, in a timely manner, based on the data it collects through any of its general supervision procedures.</p>	<p>Specifically, the State must provide a copy of the revisions made to its CIMS procedures, as well as, a copy of its revised procedures related to the collection of discipline data which will enable the State to identify noncompliance and issue written findings in a timely manner.</p>
<p>General Supervision Critical Element GS-2; Correction of Noncompliance</p>	<p>OSEP’s CIV Letter, dated March 9, 2012, required the State to provide, within 60 days of the date of the letter, revised policies and procedures for verifying timely correction of noncompliance, ensuring that it only verifies that a finding of noncompliance has been corrected when the LEA has both: (1) correctly implemented the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) corrected each individual case of child-specific noncompliance (even if late) unless the child is no longer in the jurisdiction.</p> <p>In its submission dated May 7, 2012, the State provided an excerpt from its IDSE Special Education Monitoring Manual outlining its procedure for verification of correction. The State also provided a description of the revised timeline for LEA notification of noncompliance following discovery.</p> <p>The State also reported information about a proposed ESEA Accountability Plan submitted to the Department through the ESEA Waiver Process.</p>	<p>As explained in OSEP Memo 09-02 and as previously noted in OSEP’s CIV letter to the State, in order to demonstrate that previously identified noncompliance has been corrected, a State must verify that each LEA with noncompliance is: (1) correctly implementing the specific regulatory requirements; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA. A State’s conclusion that an LEA is “correctly implementing the specific regulatory requirements” that formed the basis of the finding of noncompliance, “must be based on the State’s review of updated data such as data from subsequent on-site monitoring or data collected through a State data system.” OSEP Memo 09-02.</p> <p>To be clear, when the State identifies any noncompliance,</p>

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		<p>regardless of whether it is child specific or systemic, the State must verify that each LEA with noncompliance is correctly implementing the specific regulatory requirements through the review of updated data.</p> <p>It does not appear to OSEP that the State's revised procedures meet the requirements of OSEP Memo 09-02. However, in order to clarify some issues, OSEP will discuss this matter with the State and providee written comment thereafter. OSEP also notes that the State's ESEA Accountability Plan is under review and will also discuss this matter with the State</p> <p>In addition, as required by the CIV, with its FFY 2011 APR, due February 1, 2013, the State must provide OSEP with: (1) a description of the procedures that the State used to select files and review updated data to verify that the LEA correctly implemented the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) documentation of the review of updated data that was entered into the State's CTT to demonstrate that all findings</p>

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		that were verified as corrected from July 1, 2011 through June 30, 2012 were verified as corrected consistent with both prongs of correction as set out in OSEP Memo 09-02.
General Supervision Critical Element 3: Dispute Resolution	<p>OSEP’s CIV Letter, dated March 9, 2012, required the State to provide, within 60 days of the date of the letter, a written assurance that the State will monitor LEA compliance with IDEA resolution meeting requirements and issue findings of noncompliance when an LEA fails to comply with 34 CFR §300.510(a), and that the State ensures correction of the noncompliance as soon as possible, and in no case later than one year from the date of the identification of noncompliance.</p> <p>In its submission dated May 7, 2012, the State provided a written assurance and documentation to demonstrate that it has a procedure in place to issue findings of noncompliance when an LEA fails to comply with 34 CFR §300.510(a).</p>	The State provided the required information and no further action is required.
General Supervision Critical Element 5: Implementation of Grant Assurances	<p>OSEP’s CIV Letter, dated March 9, 2012, required the State to provide, within 60 days of the date of the letter, documentation that its procedures for making future annual determinations on the performance of its LEAs include, at a minimum, consideration of the following factors: (1) performance on compliance indicators; (2) valid and reliable data; (3) correction of identified noncompliance; and (4) other data available to the State about the LEA’s compliance with the IDEA, including relevant audit findings.</p> <p>In its submission dated May 7, 2012, the State provided a written assurance related to the consideration of LEA specific audit findings when making annual determinations of performance of LEAs as required by 34 CFR 300.600, section 616(b)(2)(c). The State also provided a metric that it will include within its existing determinations rubric to account for LEA specific audit findings as part of the procedures for making future determinations for LEAs. The State’s rubric, as reviewed during the CIV, already included LEA performance on compliance indicators; (2) valid and reliable data; (3) correction of identified noncompliance; and (4) other data available to the State about the LEA’s compliance with the IDEA.</p>	The State provided the required information and no further action is required.